



Application No.
09/189702

Applicant(s)
Sette et al.

Examiner
Ron Schwadron,
Ph.D.

Art Unit
1644

Notice to Comply

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: see enclosed communication

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216 or (703) 308-2923

For CRF Submission Help, call (703) 308-4212 or 308-2923

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ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Geni G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr
Michael V. Messinger
Judith U. Kim

Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Eldora L. Ellison
Thomas C. Fiala
Albert L. Ferro
Donald R. Banowitz
Peter A. Jackman
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Brian J. Del Buono
Virgil Lee Beaston
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Rae Lynn P. Guest
George S. Bardmesser

Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Aric W. Ledford
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longsworth
Lori A. Gordon
Nicole D. Dretar
Katrina Yujian Pei Quach
Ted J. Ebersole
Laura A. Vogel
Michael J. Mancuso
Bryan S. Wade

Aaron L. Schwartz
Michael G. Penn*
Shannon A. Carroll*
Wesley W. Jones*
Matthew E. Kelley*
Nicole R. Kramer*
Michelle K. Holoubek*
Marsha A. Rose*

Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse
Christopher J. Walsh
Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey Mills

Registered Patent Agents*

Karen R. Markowicz
Nancy J. Leith
Matthew J. Dowd
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Victoria S. Rutherford

Of Counsel

Kenneth C. Bass III
Marvin C. Guthrie

*Admitted only in Maryland

*Admitted only in Virginia

*Practice Limited to
Federal Agencies

July 1, 2005

WRITER'S DIRECT NUMBER:
(202) 772-8805

INTERNET ADDRESS:
VRUTHERF@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1644

Mail Stop: Sequence

Re: U.S. Utility Patent Application
Application No. 09/189,702; Filed: November 10, 1998
For: **HLA Binding Peptides and Their Uses**
Inventors: **SETTE et al.**
Our Ref: **2060.0370001/EKS/VSR**

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. § 1.825(a);
3. Two Replacement Compact Discs, created June 22, 2005, of the written Substitute Sequence Listing formatted for IBM-PC, ASCII MS-Windows text containing one file: Sequence Listing.txt, 92,000 bytes, file created on June 22, 2005;
4. One Replacement Compact Disc, created June 22, 2005, of computer readable form of Sequence Listing for IBM-PC, ASCII MS-Windows text containing one file: Sequence Listing.txt, 92,000 bytes, file created on June 22, 2005; and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are

Commissioner for Patents
July 1, 2005
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necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Helene C. Carlson Reg. No. 47,473
for Victoria S. Rutherford, Ph.D.
Agent for Applicants
Registration No. 52,253

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